

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff-Appellant,</i>)	
)	
v.)	No. 20-4441
)	(1:04-cr-385-LMB)
)	
ALI AL-TIMIMI,)	
)	
<i>Defendant-Appellee.</i>)	
)	

**APPELLEE’S UNOPPOSED MOTION TO FILE
SUPPLEMENTAL APPENDIX**

Defendant-Appellee Dr. Ali Al-Timimi respectfully moves this Court for permission to file a Supplemental Appendix consisting of the following items of record:

- Trial testimony of four additional witnesses—namely:
 - Nabil Gharbieh
 - Muhammad Aatique
 - Donald Surratt
 - Luther Kennedy
- Defense Trial Exhibit 57
- The defense’s Exhibit A, consisting of correspondence relevant to its opposition to the government’s motion for a stay before the district court [Dkt. No. 530, Ex. A]
- A copy of the district court’s new August 28, 2020 Order [Dkt. No. 532], denying the government’s motion for stay.

Pursuant to an expedited briefing schedule, Al-Timimi’s brief is

currently due no later than Monday, August 31, 2020. The defense intends to file the supplemental appendix at that time.

In further support, the defense states as follows:

1. On August 18, 2020, the district court granted Al-Timimi's motion for conditional release pending his appeal, issuing an Order [Dkt. No. 520] and accompanying Memorandum Opinion [Dkt. No. 519].

2. On August 25, 2020, the government noticed this appeal of the Order, and filed an opening appellate brief and appendix the following day on August 26.

3. The defense provided the government with its appendix designations on August 27, but the government had already filed its Joint Appendix. The government advised the defense that it should instead move to file a Supplemental Appendix.

4. The parties have conferred, and the government does not oppose the motion.

Respectfully submitted,

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Dated: August 28, 2020

CERTIFICATE OF SERVICE

I certify that on August 28, 2020, I will file the foregoing document on the CM/ECF system, which will then electronically serve it on all counsel of record.

/s/ Thomas M. Huff

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